

Fax

Name: Steven Brockerman
Company: WrittenWord Consulting
Voice Number: 850-523-0671
Fax Number: 850-552-0926
3201-C Oriole Ct.
TLH, FL 32308

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Subject: Microsoft Settlement.

Name: Judge Renata B. Hesse
Company: Antitrust Division, DOJ
Voice Number:
Fax Number: (202) 307-1454

Note: Please see following document

Steven Brockerman, MS**WrittenWordConsulting** Free Lance Writing
EditingResearch Consulting
Web Design◆◆
Adjunct English Professor◆◆
3201-C Oriole Ct.
Tallahassee, FL 32308◆◆
DATA / FAX 850/552-0926

PHONE 850/523-0671

EMAIL writeby@att.net

January 24, 2002

Your Honor:

Microsoft is an American success story, the same kind of American success story found in the Horatio Alger tales, which used to be so popular in America. Mr. Gates overcame tremors adversity to make a better "mousetrap." All of us are the richer because of it.

Are we to now seize this man's property, either through outright confiscation of his business or by means of fines, limitations and regulations??!

Mr. Gates _has not forced anyone_ to buy his product. People have chosen the MS OS because *it is better* -- easier to use, relatively stable, supremely flexible, cost effective, etc. -- than anything offered by the competition (who, instead of fairly and freely competing with Microsoft, have chosen to complain to the government).

Because of that, Mr. Gates was able to introduce his internet browser, MSIE, to millions of people. Mr. Gates -- once again -- *did not force anyone* to use his browser. We the consumer _chose_ to use it because, once again, it was *overwhelmingly superior* to the competitions'. Placing MSIE in his Windows OS amounted to *an option* -- _not a command_.

Such "options" are what allows the consumer a choice; such "options" are the products of innovation, which we have held as an American virtue since this republics inception, proudly referring to it as "Yankee ingenuity."

Are we to now punish Mr. Gates for that? Are we to now listen to those who, for lack of vision or for want of ambition, could not successfully compete with Microsoft??!

If so, then this is no longer the country of Horatio Alger. This is no longer the nation that lauds achievement; a nation that is no longer the land of opportunity where men and women can "beat a path to the door" of those who make a better mousetrap.

It is no longer a nation of laws that defends the rights of all, _including_ the rich; it has become, instead, a nation that rewards the incompetent by looting his superior; that denigrates achievement in the name of envy; a nation that, in short, has come to be ruled by men who, seeking the fruits of

men's labor, violate the rights of the rich in the name of the poor -- thereby destroying the rights of all, rich *and* poor alike.

I am not in any way religious, but I pray to whatever god there may be that you have both the wisdom and the courage to uphold the Jeffersonian principles of our republic and dismiss the case against Microsoft.

If you do not, we will all be, not only poorer because of it, but also -- and most importantly -- no longer free.

Very truly yours,
Steven Brockerman, MS
Adjunct Professor of English
3201-C Oriole Ct.
Tallahassee, FL 32308
850-523-0671
writeby@att.net

"I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man."

-Thomas Jefferson